

COMMODITY FUTURES TRADING COMMISSION

77 West Jackson Blvd, Suite 800

Chicago, IL 60604

Telephone: (312) 596-0700

Facsimile: (312) 596-0714



Division of
Enforcement

October 25, 2023

Via CM/ECF

Chambers of Magistrate Judge Bongiovanni
Clarkson S. Fisher Building & U.S. Courthouse
Courtroom 6E
402 East State Street
Trenton, NJ 08608

**Re: CFTC v. Traders Global Group Inc., et al., Case No. 3:23-cv-11808-ZNQ-TJB
(D.N.J.)**

Dear Chambers of Magistrate Judge Bongiovanni:

Plaintiff CFTC writes in reference to the forthcoming argument on Defendants' motion for protective order, which is currently scheduled for November 7, 2023. (Doc. 103.) Plaintiff respectfully requests that the motion be decided on the papers, or that the hearing be scheduled for an earlier date, and in any event not later than November 2, 2023. This is because the current hearing date of November 7 moots the issues in the parties' respective briefs.

Plaintiff seeks to take the deposition of Defendant Murtuza Kazmi in advance of a preliminary injunction hearing before Judge Quraishi, currently scheduled for November 6, 2023. (Doc. 88.) Plaintiff sought to take the deposition pursuant to an expedited discovery order entered by the Court on August 29, 2023. (Doc. 10.) Defendants refused, however, to permit the CFTC to take Defendants Kazmi's deposition "on the merits," and filed the instant motion for protective order. If the motion is decided after the preliminary injunction hearing, it will moot the parties' briefing on the proactive order, and allow Defendants to deprive the CFTC of the opportunity to obtain testimony from Defendants Kazmi in support of the CFTC's preliminary injunction.

Accordingly, the CFTC respectfully requests that the hearing on Defendants' motion for protective order be decided on the papers, or heard in advance of Judge Quraishi's preliminary injunction hearing.

CFTC v. Traders Global Group Inc., et al.,
Case No. 3:23-cv-11808-ZNQ-TJB (D.N.J.)

Sincerely,

/s/ Ashley J. Burden
Senior Trial Attorney
Division of Enforcement
Commodity Futures Trading Commission
O: (312) 596-0693
C: (312) 995-0779
aburden@cftc.gov

Cc: All Counsel of Record